

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DAVID PEPIN,

Plaintiff,

Case No. 2:19-cv-00042

v.

WISCONSIN CENTRAL LTD, d/b/a CN,

Honorable Hala Y. Jarbou
Magistrate Judge Maarten Vermaat

Defendant.

Arvin J. Pearlman (P18743)
Benjamin J. Wilensky (P75302)
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**DEFENDANT'S RESPONSE TO
MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF**

Wisconsin Central, Ltd. ("WCL"), through counsel, for its Response to Motion to

Withdraw as Counsel for Plaintiff (ECF No. 123) states as follows:

WCL takes no position on the Motion to Withdraw as Counsel for Plaintiff (“motion to withdraw”). However, it does request that, if the Court is inclined to grant the motion to withdraw, its Order contain protocols for post-withdrawal proceedings. Specifically, WCL requests that the Order require that new counsel for plaintiff file an Appearance within thirty (30) days of the entry of the Order permitting withdrawal or, in the alternative, that plaintiff inform the Court in writing that he intends to proceed without representation of counsel, also within thirty (30) days; and, in the event that neither an Appearance by new counsel or a statement of proceeding without representative of counsel is filed within 30 (30) days, that this case be dismissed with prejudice without further hearing or further filings. A copy of a proposed Order is attached.

Given the brevity of this limited Response, Wisconsin Central Ltd. requests to be excused from the requirement of filing an accompanying Brief.

WHEREFORE, for the above reasons, Wisconsin Central Ltd. requests that if this Court permits withdrawal of counsel for plaintiff, that it enter the attached Order.

Respectfully admitted,

WISCONSIN CENTRAL LTD, d/b/a CN

BY: /s/ Charles H. Russell, III
CHARLES H. RUSSELL III, ESQ. (PHV)
OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Charles H. Russell III, one of the attorneys for Defendant Wisconsin Central LTD, d/b/a CN, hereby certifies that I have this date caused to be electronically mailed, a true and correct copy of the above and foregoing the *Defendant's Response To Motion To Withdraw As Counsel For Plaintiff* to the following:

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The statement above is true to the best of my knowledge and information.

Dated this the 7th day of May, 2021.

/s/ Charles H. Russell, III
CHARLES H. RUSSELL III, ESQ. (PHV)